



February 22, 2008

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## ENGROSSED HOUSE BILL No. 1318

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DIGEST OF HB 1318 (Updated February 19, 2008 12:07 pm - DI 71)

**Citations Affected:** IC 9-29; IC 16-41; IC 33-37.

**Synopsis:** Funding for spinal cord and brain injury fund and law enforcement continuing education program court fee. Eliminates the \$10 registration fee on motorcycles that is designated for deposit in the spinal cord and brain injury fund. Provides for a fee of thirty cents to be collected after December 31, 2008, for registration of certain vehicles, to be deposited in the spinal cord and brain injury fund. Repeals the law establishing the spinal cord and brain injury fund, and re-enacts the law under a different citation number to resolve a technical conflict between P.L.193-2007 and P.L.234-2007, which resulted in the addition of two different laws with the same citation number. Increases the law enforcement continuing education program fee from \$3 to \$4. Makes an appropriation.

**Effective:** July 1, 2008.

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### Mays, Crawford, Wolkins, Austin

(SENATE SPONSORS — BECKER, MILLER, SIMPSON)

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January 15, 2008, read first time and referred to Committee on Roads and Transportation.

January 24, 2008, amended, reported — Do Pass.

January 28, 2008, read second time, ordered engrossed.

January 29, 2008, engrossed.

January 30, 2008, read third time, passed. Yeas 91, nays 5.

#### SENATE ACTION

February 5, 2008, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.

February 21, 2008, amended, reported favorably — Do Pass.

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EH 1318—LS 6475/DI 51+



February 22, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1318

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-29-5-0.5 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2008]: **Sec. 0.5. (a) This section applies after December 31, 2008.**

4 **(b) In addition to the fees to be collected for the registration of**  
5 **a vehicle as set forth in:**

6 **(1) IC 9-29-5-1; and**

7 **(2) IC 9-29-5-2;**

8 **the bureau shall collect an additional fee of thirty cents (\$0.30) at**  
9 **the time of the registration. The fee collected under this subsection**  
10 **shall be deposited into the spinal cord and brain injury fund under**  
11 **IC 16-41-42.2-3.**

12 **(c) In addition to the fees to be collected for the registration of**  
13 **a truck greater than zero (0) pounds declared gross weight but**  
14 **equal to or less than ten thousand (10,000) pounds declared gross**  
15 **weight, as set forth in section 3 of this chapter, the bureau shall**  
16 **collect an additional fee of thirty cents (\$0.30) at the time of the**  
17 **registration. The fee collected under this subsection shall be**

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deposited into the spinal cord and brain injury fund under IC 16-41-42.2-3.

SECTION 2. IC 9-29-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. The annual registration fee for a passenger motor vehicle is twelve dollars (~~\$12~~) **and thirty cents (\$12.30), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.**

SECTION 3. IC 9-29-5-2, AS AMENDED BY P.L.234-2007, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. **(a) This subsection expires December 31, 2008.** The fee for the registration of a motorcycle is twenty-seven dollars (\$27). The revenue from this fee shall be allocated as follows:

- (1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.
- (2) An amount prescribed as a license branch service charge under IC 9-29-3.
- (3) Ten dollars (\$10) to the spinal cord and brain injury fund ~~under IC 16-41-42-4~~ **established by IC 16-41-42.2-3.**
- (4) The balance to the state general fund for credit to the motor vehicle highway account.

**(b) This subsection applies after December 31, 2008. The fee for the registration of a motorcycle is seventeen dollars and fifty cents (\$17.50). The revenue from this fee shall be allocated as follows:**

- (1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.
- (2) An amount prescribed as a license branch service charge under IC 9-29-3.
- (3) **Thirty cents (\$0.30) to the spinal cord and brain injury fund under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.**
- (4) **The balance to the state general fund for credit to the motor vehicle highway account.**

SECTION 4. IC 9-29-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. **(a)** Except as otherwise provided in this chapter, the annual registration fee for:

- (1) a truck subject to registration under IC 9-18; and
- (2) a tractor not used with a semitrailer, a traction engine, or other similar vehicle used for hauling purposes;

is as follows:

Declared Gross Weight (Pounds)		Fee
Greater than	Equal to or less than	
0	7,000	\$ 20

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1	7,000	9,000	40
2	9,000	10,000	70
3	10,000	11,000	75
4	11,000	16,000	135
5	16,000	20,000	175
6	20,000	23,000	235
7	23,000	26,000	235
8	26,000	30,000	295
9	30,000	36,000	413
10	36,000	42,000	506
11	42,000	48,000	627
12	48,000	54,000	730
13	54,000	60,000	810
14	60,000	66,000	858
15	66,000		956

(b) In addition to the annual registration fee set forth in subsection (a), an additional registration fee of thirty cents (\$0.30) shall be collected after December 31, 2008, for a truck greater than zero (0) pounds declared gross weight but equal to or less than ten thousand (10,000) pounds declared gross weight.

SECTION 5. IC 16-41-42.2-3, AS ADDED BY HEA 1137-2008, SECTION 113, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. (a) The spinal cord and brain injury fund is established to fund research on spinal cord and brain injuries.

(b) The fund shall be administered by the state department.

(c) The fund consists of:

(1) appropriations;

(2) gifts and bequests;

(3) fees deposited in the fund ~~under IC 9-29-5-2~~; by law; and

(4) grants received from the federal government or private sources.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) The money in the fund is continually appropriated to the state department to fund spinal cord and brain injury research programs.

SECTION 6. IC 33-37-5-8 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. (a) This section  
2 applies to criminal, infraction, and ordinance violation actions.  
3 However, it does not apply to a case excluded under IC 33-37-4-2(d).  
4 (b) The clerk shall collect the alcohol and drug services program fee  
5 set by the court under IC 12-23-14-16 in a county that has established  
6 an alcohol and drug services program.  
7 (c) In each action in which a defendant is found to have:  
8 (1) committed a crime;  
9 (2) violated a statute defining an infraction; or  
10 (3) violated an ordinance of a municipal corporation;  
11 the clerk shall collect a law enforcement continuing education program  
12 fee of ~~three~~ four dollars (~~\$3~~). (~~\$3~~). (~~\$4~~).  
13 SECTION 7. IC 16-41-42-3, AS ADDED BY P.L.234-2007,  
14 SECTION 47, IS REPEALED [EFFECTIVE JULY 1, 2008].

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1318, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 13, begin a new paragraph and insert:

"SECTION 1. IC 9-29-5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 0.5. (a) This section applies after December 31, 2008.**

**(b) In addition to the fees to be collected for the registration of a vehicle as set forth in:**

- (1) IC 9-29-5-1;
- (2) IC 9-29-5-2;
- (3) IC 9-29-5-3;
- (4) IC 9-29-5-5;
- (5) IC 9-29-5-7;
- (6) IC 9-29-5-8;
- (7) IC 9-29-5-9;
- (8) IC 9-29-5-10;
- (9) IC 9-29-5-18;
- (10) IC 9-29-5-28;
- (11) IC 9-29-5-30; and
- (12) IC 9-29-5-31;

**the bureau shall collect an additional fee of fifty cents (\$0.50) at the time of the registration.**

**(c) The fee collected under subsection (b) shall be deposited into the spinal cord and brain injury fund under IC 16-41-42.2-3.**

SECTION 2. IC 9-29-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. The annual registration fee for a passenger motor vehicle is twelve dollars ~~(\$12)~~ **and fifty cents (\$12.50), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.**

SECTION 3. IC 9-29-5-2, AS AMENDED BY P.L.234-2007, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. **(a) This subsection expires December 31, 2008.** The fee for the registration of a motorcycle is twenty-seven dollars (\$27). The revenue from this fee shall be allocated as follows:

- (1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.
- (2) An amount prescribed as a license branch service charge under IC 9-29-3.
- (3) Ten dollars (\$10) to the spinal cord and brain injury fund

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under IC 16-41-42-4.

(4) The balance to the state general fund for credit to the motor vehicle highway account.

**(b) This subsection applies after December 31, 2008. The fee for the registration of a motorcycle is seventeen dollars and fifty cents (\$17.50). The revenue from this fee shall be allocated as follows:**

**(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.**

**(2) An amount prescribed as a license branch service charge under IC 9-29-3.**

**(3) Fifty cents (\$0.50) to the spinal cord and brain injury fund under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.**

**(4) The balance to the state general fund for credit to the motor vehicle highway account.**

SECTION 4. IC 9-29-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. **(a)** Except as otherwise provided in this chapter, the annual registration fee for:

(1) a truck subject to registration under IC 9-18; and

(2) a tractor not used with a semitrailer, a traction engine, or other similar vehicle used for hauling purposes;

is as follows:

Declared Gross Weight (Pounds)		Fee
Greater than	Equal to or less than	
0	7,000	\$ 20
7,000	9,000	40
9,000	10,000	70
10,000	11,000	75
11,000	16,000	135
16,000	20,000	175
20,000	23,000	235
23,000	26,000	235
26,000	30,000	295
30,000	36,000	413
36,000	42,000	506
42,000	48,000	627
48,000	54,000	730
54,000	60,000	810
60,000	66,000	858
66,000		956

**(b) In addition to the annual registration fee set forth in subsection (a), an additional registration fee of fifty cents (\$0.50)**



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shall be collected after December 31, 2008, as set forth in section 0.5 of this chapter.

SECTION 5. IC 9-29-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) Except as otherwise provided in this chapter, the annual registration fee for a tractor used with a semitrailer is as follows, based on the declared gross weight of the tractor semitrailer combination:

Declared Gross Weight (Pounds)		Fee
Greater than	Equal to or less than	
0	20,000	\$ 170
20,000	26,000	310
26,000	30,000	390
30,000	36,000	495
36,000	42,000	545
42,000	48,000	660
48,000	54,000	715
54,000	60,000	800
60,000	66,000	865
66,000	72,000	975
72,000	74,000	1,050
74,000	76,000	1,165
76,000	78,000	1,240
78,000		1,350

(b) In addition to the annual registration fee set forth in subsection (a), an additional registration fee of fifty cents (\$0.50) shall be collected after December 31, 2008, as set forth in section 0.5 of this chapter.

SECTION 6. IC 9-29-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) Except as provided in section 0.5(b) of this chapter and subsection (b), the annual registration fee for each intercity bus or intracity bus is as follows:

Declared Gross Weight (Pounds)		Intercity Fee	Intracity Fee
Greater than	Equal to or less than		
0	11,000	\$ 50	\$ 10
11,000	16,000	100	20
16,000	20,000	125	25
20,000	26,000	150	30
26,000	30,000	220	44
30,000	36,000	294	59
36,000	42,000	382	72



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42,000 . . . . .	48,000 . . . . .	445 . . . . .	89
48,000 . . . . .	54,000 . . . . .	540 . . . . .	108
54,000 . . . . .	60,000 . . . . .	600 . . . . .	120
60,000 . . . . .		660 . . . . .	132

(b) An owner or a lessee of a fleet of intercity buses may register the fleet under and pay the fees provided in IC 9-18.

**(c) In addition to the annual registration fee set forth in subsection (a), an additional registration fee of fifty cents (\$0.50) shall be collected after December 31, 2008, as set forth in section 0.5 of this chapter.**

SECTION 7. IC 9-29-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. The annual registration fee for a school bus is twenty dollars ~~(\$20); and fifty cents (\$20.50), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.~~

SECTION 8. IC 9-29-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 9. (a) As used in this section, "church bus" means a bus that is:

- (1) owned and operated by a religious or nonprofit youth organization; and
- (2) used to transport persons to religious services or used for the benefit of the members of the religious or nonprofit youth organization.

(b) The annual registration fee for a church bus is twenty dollars ~~(\$20); and fifty cents (\$20.50), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.~~

SECTION 9. IC 9-29-5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 10. (a) As used in this section, "other bus" means a bus that is not a church bus, an intercity bus, an intracity bus, or a school bus.

(b) The annual registration fee for any other bus is thirty dollars ~~(\$30); and fifty cents (\$30.50), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.~~

SECTION 10. IC 9-29-5-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 18. The fee for a recreational vehicle is twenty dollars ~~(\$20); and fifty cents (\$20.50), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.~~

SECTION 11. IC 9-29-5-28, AS AMENDED BY P.L.79-2006, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 28. Except as provided in IC 9-29-12-2.5(e) and section 32.5 of this chapter, the registration fee for an antique motor

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vehicle under IC 9-18-12 is twelve dollars ~~(\$12).~~ **and fifty cents (\$12.50), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.**

SECTION 12. IC 9-29-5-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 30. (a) The registration fee for a recovery vehicle under IC 9-18-13 is as follows:

- (1) Class A recovery vehicle, five hundred dollars (\$500).
- (2) Class B recovery vehicle, seventy-five dollars (\$75).

(b) A vehicle registered under IC 9-18-13 is not subject to any other registration fee under IC 9-18. However, a vehicle registered under IC 9-18-13 is subject to a tax or service charge **and, after December 31, 2008, the fee set forth in section 0.5(b) of this chapter** imposed on a vehicle registered under this title.

SECTION 13. IC 9-29-5-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 31. (a) The registration fee for a military vehicle under IC 9-18-14 is twelve dollars ~~(\$12).~~ **and fifty cents (\$12.50), including after December 31, 2008, the fee set forth in section 0.5(b) of this chapter.**

(b) The bureau shall collect the fee in subsection (a) in addition to any excise tax imposed under IC 6-6-5."

Page 2, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 15. IC 33-37-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. (a) This section applies to criminal, infraction, and ordinance violation actions. However, it does not apply to a case excluded under IC 33-37-4-2(d).

(b) The clerk shall collect the alcohol and drug services program fee set by the court under IC 12-23-14-16 in a county that has established an alcohol and drug services program.

(c) In each action in which a defendant is found to have:

- (1) committed a crime;
- (2) violated a statute defining an infraction; or
- (3) violated an ordinance of a municipal corporation;

the clerk shall collect a law enforcement continuing education program fee of ~~three~~ **four** dollars ~~(\$3).~~ **(\$4).**".

Delete pages 3 through 11.

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Page 12, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1318 as introduced.)

AUSTIN, Chair

Committee Vote: yeas 12, nays 0.

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#### SENATE MOTION

Madam President: I move that Senator Simpson be added as cosponsor of Engrossed House Bill 1318.

BECKER

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#### COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred House Bill No. 1318, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 6, after "IC 9-29-5-1;" insert "**and**".

Page 1, delete lines 8 through 17.

Page 2, line 1, delete "fifty cents (\$0.50)" and insert "**thirty cents (\$0.30)**".

Page 2, line 3, delete "(c)".

Page 2, line 3, delete "subsection (b)" and insert "**this subsection**".

Page 2, run in lines 2 through 3.

Page 2, between lines 4 and 5, begin a new paragraph and insert:

**"(c) In addition to the fees to be collected for the registration of a truck greater than zero (0) pounds declared gross weight but equal to or less than ten thousand (10,000) pounds declared gross weight, as set forth in section 3 of this chapter, the bureau shall collect an additional fee of thirty cents (\$0.30) at the time of the registration. The fee collected under this subsection shall be deposited into the spinal cord and brain injury fund under IC 16-41-42.2-3."**

Page 2, line 7, delete "fifty" and insert "**thirty**".

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Page 2, line 8, delete "(\$12.50)," and insert "**(\$12.30),**".

Page 2, line 20, strike "under IC 16-41-42-4." and insert "**established by IC 16-41-42.2-3.**".

Page 2, line 30, delete "Fifty cents (\$0.50)" and insert "**Thirty cents (\$0.30)**".

Page 3, line 19, delete "fifty cents (\$0.50)" and insert "**thirty cents (\$0.30)**".

Page 3, line 20, delete "as set forth in section" and insert "**for a truck greater than zero (0) pounds declared gross weight but equal to or less than ten thousand (10,000) pounds declared gross weight.**"

SECTION 5. IC 16-41-42.2-3, AS ADDED BY HEA 1137-2008, SECTION 113, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. (a) The spinal cord and brain injury fund is established to fund research on spinal cord and brain injuries.

(b) The fund shall be administered by the state department.

(c) The fund consists of:

(1) appropriations;

(2) gifts and bequests;

(3) fees deposited in the fund ~~under IC 9-29-5-2~~; **by law**; and

(4) grants received from the federal government or private sources.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) The money in the fund is continually appropriated to the state department to fund spinal cord and brain injury research programs."

Page 3, delete lines 21 through 42.

Delete pages 4 through 5.

Page 6, delete lines 1 through 19.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1318 as printed January 25, 2008.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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